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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

THE APPLE iPOD iTUNES ANTI-TRUST LITIGATION	Case No. C 05-00037 JW C 06-04457 JW **[PROPOSED] ORDER GRANTING APPLE'S MISCELLANEOUS ADMINISTRATIVE MOTION TO FILE UNDER SEAL DEFENDANT'S MOTION FOR RECONSIDERATION OF RULE 23(B)(2) CLASS AND DECLARATION OF EDDY CUE** **Date:** October 5, 2009 **Time:** 9:00 A.M. **Place:** Courtroom 8, 4th floor

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Having considered Apple's Administrative Motion to File Under Seal Defendant's Motion for Reconsideration of Rule 23(b)(2) Class, and the Declaration of Eddy Cue in Support of Defendant's Motion for Reconsideration of Rule 23(b)(2) Class:

IT IS HEREBY ORDERED THAT Apple's Administrative Motion to File Under Seal is GRANTED. The Clerk of Court shall file under seal: Defendant's Motion for Reconsideration of Rule 23(b)(2) Class, and the Declaration of Eddy Cue in Support of Defendant's Motion for Reconsideration of Rule 23(b)(2) Class.

IT IS SO ORDERED.

Dated: ______________, 2009

Hon. James Ware
United States District Court Judge

SFI-608343v1